

**FILED**

AO 91 (Rev. 11/11) Criminal Complaint

JUL 07 2023

UNITED STATES DISTRICT COURT  
for the  
Eastern District of North Carolina

PETER A. MOORE, JR., CLERK  
US DISTRICT COURT, EDNC  
BY BRT DEP CLK

United States of America  
v.  
Isalah Emmanuel Gibbs

Case No. 4:23-mj-1014-JA

### Dependent(s)

**CRIMINAL COMPLAINT**

I, the complainant in this case, state that the following is true to the best of my knowledge and belief.

On or about the date(s) of October 4, 2022 in the county of Craven in the  
Eastern District of North Carolina, the defendant(s) violated:

<i>Code Section</i>	<i>Offense Description</i>
Title 18 U.S.C. 922(g)(1)	Possession of a Firearm by Convicted Felon

### *Offense Description*

**Title 18 U.S.C. 922(g)(1)      Possession of a Firearm by Convicted Felon**

This criminal complaint is based on these facts:

Continued on the attached sheet.

On this day, ANDER N. TAYLOR appeared before me via reliable electronic means, was placed under oath, and attested to the contents of this Complaint.

A. Taylor

*Complainant's signature*

Amber N. Taylor, ATF TFO

*Printed name and title*

Date: 7 July 2023

City and state: **Raleigh, North Carolina**

James E. Gates, United States Magistrate Judge

Printed name and title

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**AFFIDAVIT IN SUPPORT OF APPLICATION FOR ARREST WARRANT**

I, Amber N. Taylor, a Task Force Officer (TFO) with the Bureau of Alcohol, Tobacco, Firearms, and Explosives (ATF), being duly sworn, hereby depose and state as follows:

1. I am a TFO with the ATF and have been so since January of 2023. In addition to being a TFO with ATF, I am a duly sworn Deputy in the State of North Carolina. I am currently employed by Craven County Sheriff's Office assigned to Special Investigations Bureau. I have been employed full time since August of 2012. I have an Associate's Degree from Pitt Community College. I also received my Basic Law Enforcement Training (BLET) certification from Pitt Community College in December of 2011. My BLET training consisted of 700 plus hours of classroom and practical training. I began my career at Pitt County Sheriff's Office in August of 2012 where I maintained full time employment until August of 2020. While previously employed at the Pitt County Sheriff's Office, I accumulated approximately over 900 training hours. After resigning from Pitt County Sheriff's Office, I was hired as a Gang/Gun investigator for the Craven County Sheriff's Office in August of 2020. I have consistently maintained my yearly in-service training for the purpose of maintaining my law enforcement certification.
2. My day to day duties as a sworn deputy has been to respond to calls for service, serve arrest warrants, execute search warrants, write incident reports, and many other assignments. I have been the primary or assisting officer in a variety of investigations to include: Violent crimes involving firearms, assaults involving serious injury and/or death. I have charged and received convictions of North Carolina chapter 90 drug violations. I have conducted misdemeanor and felony investigations resulting in convictions in Pitt/Craven County District and Superior courts and in federal court in the Eastern District of North Carolina.
3. I have authored numerous search warrants resulting in the seizure of controlled substances, drug paraphernalia, and illegal firearms. Said Search Warrants have led to the arrest and convictions of multiple suspects in Pitt County/Craven County for various criminal offences.
4. The statements contained in this affidavit are based in part on: my personal participation in this investigation, information by SAs and Task Force Officers of the ATF and law enforcement officers with the Craven County Sheriff's Office; written reports about this and other investigations that I have received, directly or indirectly, from other law enforcement agents; and my experience, training and background as a TFO with ATF and investigator with the Craven County Sheriff's Office. This affidavit does not include all of the facts known to me regarding this investigation, only those sufficient to establish probable cause that federal laws have been violated.

PROBABLE CAUSE

5. On October 4, 2022, at approximately 7:25 p.m., Craven County Sheriff's Office (CCSO) Deputy Templin conducted a traffic stop of a red in color 2010 Chevrolet Impala bearing license plate RBX7359 near Wildlife Road and Avery Road in New Bern, NC. The traffic stop was based on the vehicle not having a properly illuminating light for the vehicle license plate.
6. Deputy Templin approached the vehicle via the passenger side of the vehicle. Deputy Templin asked the driver, Tyreke HOWARD, for his license and registration to which HOWARD said he had neither item. Deputy Templin identified the passenger as Isaiah Emmanuelle GIBBS.
7. Deputy Templin explained the reason of the stop to HOWARD and GIBBS. Deputy Templin asked if anything illegal to include weapons were inside the vehicle. HOWARD and GIBBS answered "No." Deputy Templin removed HOWARD and GIBBS from the vehicle while he continued running record checks on the two occupants. Deputy Templin observed that GIBBS exited vehicle with a backpack. Utilizing the Criminal Justice Law Enforcement Automated Data Service (CJLeads) database, Deputy Templin noted that GIBBS recently was arrested for narcotics and firearm violations.
8. After the record check, Deputy Templin reapproached GIBBS and asked if anything illegal was in his bag as well as asked for permission to search the book bag. GIBBS then advised that he had Marijuana and a handgun magazine in the book bag. GIBBS gave Deputy Templin the book bag and pointed to the pocket that contained the Marijuana. Deputy Templin also located the 9mm handgun magazine in addition to multiple rounds of 9mm ammunition in the book bag.
9. Based on the totality of evidence found in GIBB's book bag, Deputy Templin conducted a probable cause search of the vehicle. Upon opening the front passenger door of the Chevrolet Impala, Deputy Templin smelled the odor of Marijuana emitting from the interior of the vehicle. Deputy Templin began searching the front passenger seat area of where GIBBS was sitting and located a Taurus, Model: G3C, 9mm caliber pistol, having serial number ACL487494. Deputy Templin noted that the Taurus pistol was chambered with a live 9mm caliber round and an extended magazine was inserted into the firearm.
10. Deputy Templin ran the Taurus pistol serial number with New Bern Communications, which advised that the Taurus pistol was reported stolen from the state of Virginia.
11. Deputy Templin then took the magazine found in GIBB's book bag and inserted it into the Taurus pistol. Deputy Templin noted the magazine found in GIBB's book bag fit the Taurus pistol.

12. Due to the Taurus pistol being underneath GIBBS' seat and GIBBS being in possession of 9mm caliber ammunition and a spare magazine, Deputy Templin placed GIBBS under arrest for possession of a stolen firearm. Deputy Templin seized the Taurus pistol and 31 rounds of 9mm caliber ammunition as evidence.

13. An ATF interstate nexus expert physically examined the firearm and ammunition described above and confirmed that the firearm and ammunition were not manufactured in North Carolina, and therefore, traveled in and affected interstate and/or foreign commerce.

14. A review of GIBBS' criminal history was conducted and noted that GIBBS was convicted of multiple felonies in the state of North Carolina.

15. Law enforcement secured a copy of a Judgement and Commitment and Transcript of Plea from the Superior Court Division of Clerk of Court from Craven County, North Carolina.

16. As part of this transcript of plea, GIBBS entered a plea of guilty for the following:

- a. 17CRS53075 – Common Law Robbery - Date of Offense, 09/30/2017, for an active sentence of 13-25 months.
- b. 17CRS53079 (Common Law Robbery) - Date of Offense, 05/10/2017 and 17CRS53080 (Common Law Robbery) - Date of Offense, 06/30/2017. These cases were consolidated into one sentence of 13-25 to be served consecutive to 17CRS53075.
- c. 17CRS52757 (Alter/Remove Gun Serial Number) and 17CRS52758 (Possession of Schedule II Controlled Substances) Date of Offense, 9/5/2017. These convictions were consolidated into one sentence of 5-15 months to be served consecutively to the 17CRS53079/17CRS53080.

17. Further, among other acknowledgments *WITHIN* with the transcript of plea, GIBBS affirmed that he (GIBBS) had done and understood the following:

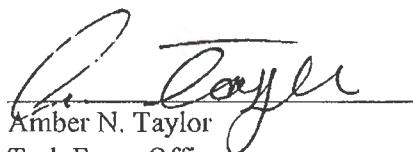
- a. Review each element of the charged offense to which he was pleading guilty to;
- b. Understood the nature of the offense to which he was pleading guilty to;
- c. Signed his (GIBBS) name as a sworn acknowledgment to the same.

18. On July 6, 2023, ATF SA Reeves spoke with Alison Daniels, Deputy Clerk, Superior Criminal Division for the Craven County Clerk of Superior Court. SA Reeves reviewed GIBBS' Judgement and Commitment and Transcript of Plea with Daniels who confirmed its accuracy.

*Review  
of  
Affiant's  
directions  
JG*

CONCLUSION

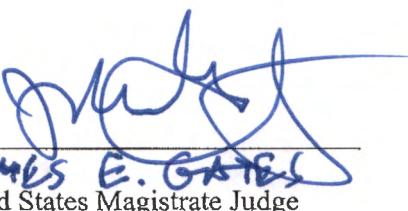
19. Based upon the forgoing information, your affiant believes probable cause exists that Isaiah Emmanuelle GIBBS committed a violation of Title 18 of the United States Code Section 922(g)(1) – to wit, knowingly possessing a firearm and ammunition after having received a felony conviction while affecting interstate commerce. I respectfully request that the Court issue a warrant ordering the arrest of Isaiah Emmanuelle GIBBS for said violation.



Amber N. Taylor  
Task Force Officer  
Bureau of Alcohol, Tobacco, Firearms and Explosives

Pursuant to Rule 4.1 of the Federal Rules of Criminal Procedure, the affiant appeared before me via reliable electronic means, was placed under oath and attested to the contents of this affidavit.

7 JULY 2023  
Date

  
JAMES E. GATES  
United States Magistrate Judge